



General Assembly

February Session, 2012

Raised Bill No. 237

LCO No. 1243

01243_____HED

Referred to Committee on Higher Education and Employment
Advancement

Introduced by:
(HED)

***AN ACT CONCERNING THE SHARING OF INFORMATION BETWEEN
THE LABOR DEPARTMENT AND INSTITUTIONS OF HIGHER
EDUCATION.***

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Subsection (g) of section 31-254 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2012*):

4 (g) (1) Notwithstanding any of the information disclosure
5 provisions of this section, the administrator shall disclose information
6 obtained pursuant to subsection (a) of this section to: (A) A regional
7 workforce development board, established pursuant to section 31-3k,
8 to the extent necessary for the effective administration of the federal
9 Trade Adjustment Assistance Program of the Trade Act of 1974, as
10 amended from time to time, the federal Workforce Investment Act, as
11 amended from time to time, and the state employment services
12 program established pursuant to section 17b-688c for recipients of
13 temporary family assistance, provided a regional workforce
14 development board, enters into a written agreement with the

15 administrator, pursuant to subdivision (2) of this subsection,
16 concerning protection of the confidentiality of such information prior
17 to the receipt of any such information; [or] (B) a nonpublic entity that
18 is under contract with the United States Department of Labor to
19 administer grants which are beneficial to the interests of the
20 administrator, provided such nonpublic entity enters into a written
21 agreement with the administrator, pursuant to subdivision (2) of this
22 subsection, concerning protection of the confidentiality of such
23 information prior to the receipt of any such information; or (C) an
24 institution of higher education to the extent necessary for evaluating
25 such institution's programs of higher learning, as defined in section
26 10a-34.

27 (2) Any written agreement shall contain safeguards as are necessary
28 to protect the confidentiality of the information being disclosed,
29 including, but not limited to a:

30 (A) Statement from the regional workforce development board, [or]
31 nonpublic entity or institution of higher education, as appropriate, of
32 the purposes for the requested information and the specific use
33 intended for the information;

34 (B) Statement from the regional workforce development board, [or]
35 nonpublic entity or institution of higher education, as appropriate, that
36 the disclosed information shall only be used for such purposes as are
37 permitted by this subsection and consistent with the written
38 agreement;

39 (C) Requirement that the regional workforce development board,
40 [or] nonpublic entity or institution of higher education, as appropriate,
41 store the disclosed information in a location that is physically secure
42 from access by unauthorized persons;

43 (D) Requirement that the regional workforce development board,
44 [or] nonpublic entity or institution of higher education, as appropriate,
45 store and process the disclosed information maintained in an electronic

46 format in such a way that ensures that unauthorized persons cannot
47 obtain the information by any means;

48 (E) Requirement that the regional workforce development board,
49 [or] nonpublic entity or institution of higher education, as appropriate,
50 establish safeguards to ensure that only authorized persons, including
51 any authorized agent of the board, nonpublic entity or institution of
52 higher education, are permitted access to disclosed information stored
53 in computer systems;

54 (F) Requirement that the regional workforce development board,
55 [or] nonpublic entity or institution of higher education, as appropriate,
56 enter into a written agreement, that has been approved by the
57 administrator, with any authorized agent of the board, [or] nonpublic
58 entity or institution of higher education, which agreement shall
59 contain the requisite safeguards contained in the written agreement
60 between the board, [or] nonpublic entity or institution of higher
61 education and the administrator;

62 (G) Requirement that the regional workforce development board,
63 [or] nonpublic entity or institution of higher education, as appropriate,
64 instruct all persons having access to the disclosed information about
65 the sanctions specified in this section, and further require each
66 employee of such board, [or] nonpublic entity or institution of higher
67 education, and any agent of such board, [or] nonpublic entity or
68 institution of higher education, authorized to review such information,
69 to sign an acknowledgment that [he or she] such employee or such
70 agent has been advised of such sanctions;

71 (H) Statement that redisclosure of confidential information is
72 prohibited, except with the written approval of the administrator;

73 (I) Requirement that the regional workforce development board,
74 [or] nonpublic entity or institution of higher education, as appropriate,
75 dispose of information disclosed or obtained under this subsection,
76 including any copies of such information made by the board, [or]

77 nonpublic entity or institution of higher education, after the purpose
 78 for which the information is disclosed has been served, either by
 79 returning the information to the administrator, or by verifying to the
 80 administrator that the information has been destroyed;

81 (J) Statement that the regional workforce development board, [or]
 82 nonpublic entity or institution of higher education, as appropriate,
 83 shall permit representatives of the administrator to conduct periodic
 84 audits, including on-site inspections, for the purpose of reviewing such
 85 board's, [or] nonpublic entity's or institution of higher education's
 86 adherence to the confidentiality and security provisions of the written
 87 agreement; and

88 (K) Statement that the regional workforce development board, [or]
 89 nonpublic entity or institution of higher education, as appropriate,
 90 shall reimburse the administrator for all costs incurred by the
 91 administrator in making the requested information available and in
 92 conducting periodic audits of the board's, [or] nonpublic entity's or
 93 institution of higher education's procedures in safeguarding the
 94 information.

95 (3) Any employee or agent of a regional workforce development
 96 board, [or] nonpublic entity or institution of higher education, as
 97 appropriate, who discloses any confidential information in violation of
 98 this section and the written agreement, entered into pursuant to
 99 subdivision (2) of this subsection, shall be fined not more than two
 100 hundred dollars or imprisoned not more than six months, or both, and
 101 shall be prohibited from any further access to confidential information.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2012</i>	31-254(g)

Statement of Purpose:

To permit the Labor Department to share wage and employment data with institutions of higher education for purposes of program evaluation.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]